

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:)	
)	
INTEGRATED HEALTH SERVICES,)	
INC., <i>et al.</i> ,)	Bankruptcy Case No. 00-389 (MFW)
)	(Chapter 11)
Debtors.)	
)	
C. TAYLOR PICKETT,)	
)	
Appellant,)	
)	
v.)	C.A. No. 04-354 (GMS)
)	
INTEGRATED HEALTH SERVICES,)	
INC.,)	
)	
Appellee.)	
)	

ORDER

WHEREAS the above-captioned appeal arises from a dispute over the proper ownership of a country club membership in Maryland;

WHEREAS on January 9, 2004, the bankruptcy court issued an order and a written opinion denying the appellant's motion for summary judgment, and granting the appellee's cross motion for summary judgment;

WHEREAS on February 2, 2004, the bankruptcy court granted the appellant's motion to reconsider;

WHEREAS on February 13, 2004, the appellant filed a second motion for summary judgment;

WHEREAS on April 19, 2004, the bankruptcy court denied the second motion for summary judgment and reaffirmed the opinion and order of January 9;

WHEREAS the appellant argues to this court that the bankruptcy court erred in concluding that (1) the appellee had not assigned the country club membership to the appellant, (2) the appellant had previously waived his claim against the appellee, (3) the appellant's rights to the membership are not superior to the rights of the appellee's successor in interest, and (4) the doctrines of judicial

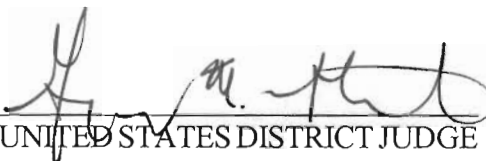
and equitable estoppel do not apply; and

WHEREAS after carefully reviewing the record on appeal, as well as the briefs of the parties, the court holds that the bankruptcy court's order of April 19 was the proper disposition regarding the outstanding motions.

IT IS HEREBY ORDERED THAT:

The bankruptcy court's order of April 19, 2004, be AFFIRMED.

Dated: March 10, 2006



UNITED STATES DISTRICT JUDGE